

U.S. Department of Justice

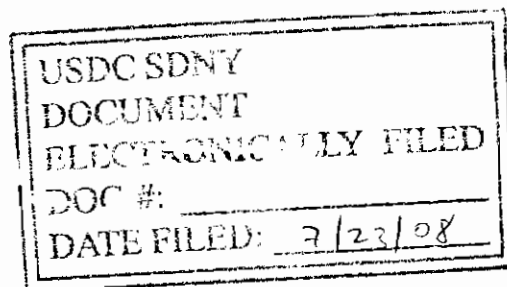
United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 22, 2008

MEMO ENDORSEDBY HAND

Honorable Denise L. Cote
United States District Judge
United States Courthouse
500 Pearl Street, Room 1040
New York, New York 10007



Re: Miriam Ruiz v. Astrue
08 Civ. 2839 (DLC)

Dear Judge Cote:

This Office represents the Commissioner of Social Security, the defendant in this action. I write respectfully to request a nunc pro tunc extension of defendant's time to answer or move with respect to the complaint.

After one extension was granted because this Office had not yet received the administrative record, the answer was due on July 18, 2008. Today, I discovered that due to a filing error I failed to record the new answer date correctly on my calendar. I apologize to this Court and to plaintiff for this inadvertent error. I have discussed this matter with the agency personnel, who advised me that the agency is currently reviewing this matter further. In view of the foregoing, I respectfully request that defendant's time to answer or move with respect to the complaint be extended to September 5, 2008. Plaintiff's counsel has graciously consented to this request.

Grated.
Uniselle
July 23, 2008

We appreciate the Court's attention to this matter.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By: 

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(By Mail)